



2005 LEESBURG REZONING & SPECIAL EXCEPTION PROCESS

To be implemented with the Rezoning and Special Exception Schedule 2004-2005

The rezoning and special exception process to be fully implemented by the Department of Planning, Zoning and Development is substantially different from the previous procedure applied by the town. The goal is to establish a process whereby applications are more in compliance with town ordinances and planning goals when accepted so that there will be less work required between staff and the applicant to move an application forward for approval. This will save applicants a great deal of time in the review process but the trade off is fewer permitted resubmissions to allow applicants to respond to staff comments.

Below is a brief description of the process an application will follow as it tracks in accordance with the new schedule. Note that all section references are to the Town of Leesburg Zoning Ordinance unless stated otherwise.

- Pre-application Meeting. A pre-application meeting is required with staff prior to submission of any Rezoning (§3.3.4) or Special Exception (§3.4.3) application. The meeting time will be set by appointment.
- Application Submission Deadline. The application deadline is always the 1st of the month, or the first working Monday if the 1st of the month falls over a weekend. For example, in order to get on the review cycle that begins on February 1, 2005, the application must be submitted before February 1st. If not, it will come under the cycle that begins on March 3, 2005. See attached schedule.
- Official Application Acceptance/Rejection. An application will be officially accepted or rejected within 10 business days (excluding the submission day per §1.8.4). During this 10 day review period there is an internal review to determine if the submittal contains minimum application materials and contents required for official acceptance (§3.3.5 & §3.3.6 for rezonings and §3.4.4 & §3.4.6 for special exceptions). If an application is determined to be incomplete applicant will be notified in writing by staff. A rejected application will not track with the cycle it was originally submitted under. For example, an application submitted before February 1, 2005 and officially rejected on February 15, 2005 but resubmitted on February 26, 2005 will track under the March 3, 2005 cycle.

- Procedure upon Official Acceptance: On the day an application is officially accepted as a completed application the assigned Project Planner will send a notification letter to applicant which explains which cycle the application will be tracked under, and (2) the plans will be distributed to all appropriate referral agencies for review and comment. These plans are considered as the “first submission” under the schedule. These plans may be forwarded to the following agencies depending on application content:

Internal(Town) Agencies

Board of Architectural Review (Preservation Planner)
 Comprehensive Planning (Chief)
 Current Planning (Chief)
 Economic Development (Director)
 Engineering (Chief of Plan Review)
 Parks & Recreation (Director)
 Police Department (Chief of Police)
 Town Attorney
 Traffic Engineer
 Utilities (Assistant Director)
 Zoning Administrator

External Agencies

Loudoun County Fire & Rescue Services
 Loudoun County Health Department
 Loudoun County Planning Department
 Loudoun County School Board
 Northern Virginia Regional Park Authority
 Virginia Department of Transportation (VDOT)

- First Submission Comments. Agencies and the Project Planner have four weeks (28 calendar days) from the Acceptance Determination Deadline date to comment on the application. The Project Planner will then collect all referral agency comments and transmit them with his own comments to the applicant.
- First Submission Applicant Meeting. The Project Planner will arrange a meeting with the applicant no later than 1 week after the first submission comments are transmitted to the applicant. Staff and applicant will use this meeting to discuss the comments and appropriate revisions, and to determine if a second submission is necessary.
- Second Submission. Where staff comments remain unaddressed from the first submission, applicant shall submit revised plans within four weeks (28

calendar days). These plans are considered as the “second submission” under the schedule. The Project Planner will distribute the second submission upon receipt. Agencies and the Project Planner will have four weeks (28 calendar days) from the resubmission date to comment on the second submission plans. The Project Planner will then collect all referral agency comments and transmit them with his own comments to the applicant.

- Planning Commission Public Hearing Date Set. The Planning Commission public hearing will be scheduled by the Project Planner to occur approximately 35 days after second submission comments are transmitted to applicant. Planning Commission meetings are held on the 1st and 3rd Thursday of each month.
- Planning Commission Preview Report. After the second submission the Project Planner will prepare a report for the Planning Commission based on comments from all review agencies. This report will be available to applicant at 4:00 p.m. on the Friday before the Planning Commission preview meeting the next Thursday.
- Planning Commission Public Hearing Ad. The Project Planner will transmit the required newspaper advertisement to the Leesburg Today on the date the Planning Commission packet is distributed.
- Planning Commission Public Hearing- Property Posting. Applicant must post notice of the public hearing on the subject property at least 15 Calendar days prior to the public hearing (§3.1.9.B).
- Planning Commission Public Hearing – Written Notice. Applicant shall send adjacent property owners written notice at least 10 calendar days before the public hearing. See §3.1.9 for the specific requirements and other responsibilities of applicant in regard to demonstrating proper notice.
- Planning Commission Preview Meeting. Always on a Thursday, the preview is an introduction of the case to the Planning Commission. Neither staff nor applicant shall make a presentation at this meeting; however, both the applicant and staff should be available to answer any questions the Planning Commission may have regarding the application. The Planning Commission public hearing occurs at the next scheduled Planning Commission meeting.

- Applicant Certification of Notice. Five (5) calendar days prior to the public hearing the applicant will provide verification to the town that written notice was mailed by certified mail and that the sign was posted on the property as required under §3.1.9.7
- Planning Commission Public Hearing. Two weeks following the preview meeting a Public Hearing will be held on a Thursday before the Planning Commission. The applicant presents their case first. If the applicant is using an electronic presentation, they must submit this presentation to the Planning Commission Secretary prior to 3:00 pm the day of the meeting (call 703-771-2434 or email ldefranco@leesburgva.org). A minimum of ten copies of any handouts must be provided. Afterwards, the Project Planner will make a presentation explaining staff's recommendation to the Planning Commission. The presentations are followed by citizen questions and comments regarding the case, then the Commission may ask questions and offer comments.
- Planning Commission Action. The Commission will make its recommendation to the Town Council regarding the application at its next regular meeting (approximately 2 weeks later).
- Town Council Review. After the vote by the Planning Commission, the application is placed on the Town Council agenda for a preview and a Council public hearing date is set. Town Council meetings are held on the 2nd and 4th Tuesday of each month.
- Town Council Preview Report. The Project Planner will prepare a preview report for the Town Council based on comments from all review agencies with a description of the Planning Commission discussion and recommendation. This report will be available to applicant at 4:00 p.m. on the Thursday before the Town Council preview meeting held the next Monday.
- Town Council Public Hearing Notice. The notice required for a public hearing before the Town Council is exactly the same as that required for the Planning Commission public hearing. Therefore, applicants and staff should repeat the notice requirements set forth above and in §3.1.9.
- Town Council Preview Meeting. Always on a Monday, the preview is an introduction of the case to the Town Council. Neither staff nor applicant needs to attend this meeting. The preview simply informs Council that the application will soon be before them for consideration. A presentation on the case will not be made at this meeting. The Town Council public hearing occurs at the next scheduled Town Council regular meeting.

- Town Council Work Session. At the next Monday work session (approximately 2 weeks later) the application will be briefly summarized to Council by staff. The Council may ask questions at this time. Applicant makes no presentation at this meeting but should be available to answer questions.
- Town Council Public Hearing. The public hearing is held the next evening (Tuesday). At the Public Hearing, the application is discussed in detail. The applicant presents their case first and is limited to 15 minutes. If the applicant is using an electronic presentation, they must submit this presentation to the Town Clerk prior to 3:00pm the day of the meeting. A minimum of ten copies of any handouts must be provided. Next, the Project Planner presents the Planning Commission's recommendation and explains staff's position on the case. The hearing is then opened for public comment, after which the Council may ask questions or offer comments.
- Town Council Action. The Council shall make its decision regarding the application at its next regular Tuesday meeting (approximately 2 weeks later).
- Application Closeout. After Town Council action on a project the Project Planner will send a notice of action letter to the applicant that describes Council's action and with a copy of the Resolution or Ordinance attached.

REZONING AND SPECIAL EXCEPTION SCHEDULE 2004-2005

Task	Schedule								
Pre-application Meeting (By Appointment)	TBA	TBA	TBA	TBA	TBA	TBA	TBA	TBA	TBA
Application Submission Deadline	11/1/2004	12/1/2004	1/3/2005	2/1/2005	3/1/2005	4/1/2005	5/2/2005	6/1/2005	7/1/2005
Transportation review for acceptance (5 business days) due:	11/8/2004	12/8/2004	1/10/2005	2/8/2005	3/8/2005	4/8/2005	5/9/2005	6/8/2005	7/8/2005
Acceptance Determination (10 business days) due:	11/15/2004	12/15/2004	1/17/2005	2/15/2005	3/15/2005	4/15/2005	5/16/2005	6/15/2005	7/15/2005
Application 1st Submission referred out to agencies on:	11/15/2004	12/15/2004	1/17/2005	2/15/2005	3/15/2005	4/15/2005	5/16/2005	6/15/2005	7/15/2005
Meeting with Applicant & Written Staff Comments	12/20/2004	1/17/2005	2/21/2005	3/21/2005	4/18/2005	5/18/2005	6/20/2005	7/18/2005	8/17/2005
Applicant Revision Period (4 weeks) & 2nd Submission due:	1/17/2005	2/14/2005	3/17/2005	4/18/2005	5/16/2005	6/15/2005	7/18/2004	8/15/2005	9/14/2005
Staff Review of 2nd Submission (4 weeks) due:	2/14/2005	3/14/2005	4/14/2005	5/16/2005	6/13/2005	7/13/2005	8/15/2005	9/12/2005	10/12/2005
Staff Report Available to Applicant	2/25/2005	4/1/2005	4/29/2005	6/3/2005	7/1/2005	7/29/2005	8/26/2005	9/30/2005	10/28/2005
Planning Commission Agenda Packet Sent	2/25/2005	4/1/2005	4/29/2005	6/3/2005	7/1/2005	7/29/2005	8/26/2005	9/30/2005	10/28/2005
Planning Commission Preview	3/3/2005	4/7/2005	5/5/2005	6/9/2005	7/7/2005	8/4/2005	9/1/2005	10/6/2004	11/3/2005
Planning Commission Public Hearing	3/17/2005	4/21/2005	5/19/2005	6/23/2005	7/21/2005	8/18/2005	9/15/2005	10/20/2005	11/17/2005
Planning Commission Vote	4/7/2005	5/5/2005	6/2/2005	7/7/2005	8/5/2004	9/1/2005	10/6/2005	11/3/2005	12/1/2005
Council Agenda Report Available to Applicant	4/21/2005	5/19/2005	6/16/2005	7/22/2004	8/19/2004	9/23/2004	10/20/2005	11/17/2005	12/19/2005
Town Council Preview	4/25/2005	5/23/2005	6/20/2005	7/27/2004	8/24/2004	9/28/2004	10/24/2005	11/21/2005	12/26/2005
Town Council Worksession	5/9/2005	6/13/2005	7/11/2005	8/9/2004	9/13/2004	10/11/2004	11/7/2005	12/12/2005	1/9/2006
Town Council Public Hearing	5/10/2005	6/14/2005	7/12/2005	8/10/2004	9/14/2004	10/13/04**	11/8/2005	12/13/2005	1/10/2006
Town Council Vote	5/24/2005	6/28/2005	7/26/2005	8/24/2004	9/28/2004	10/26/2004	11/22/2005	12/27/2005	1/24/2006

Notes:

Rezoning and Special Exception cases and continuances will be considered at the second Planning Commission meeting of each month and the first Town Council meeting of each month unless otherwise noted.

Referral Agencies: Engineering & Public Works, Utilities, Airport, Town Attorney, Parks & Recreation, Police, Loudoun County Fire & Rescue, VDOT, NoVa Regional Park Authority